

After a careful review of this matter, the Court is in complete agreement with the Magistrate Judge's recommendation that plaintiff's application to proceed *in forma pauperis* [R. 2] be denied. The court further agrees that the complaint fails to state a cause of action for which relief can be granted.

Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation under 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b). It is **ORDERED**, for the reasons stated in the Report and Recommendation, which the Court adopts and incorporates into its ruling that plaintiff's application to proceed *in forma pauperis* [R. 2] is **DENIED**. **IT IS FURTHER ORDERED** that the complaint [R. 1] is **DISMISSED, with prejudice**, for failure to state a claim for which relief can be granted.

The Clerk is **DIRECTED** to **CLOSE** the case.

SO ORDERED.


UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
s/ John L. Medearis
CLERK OF COURT